



Attorney's Docket No. 5784-9

# 11, 7/19/00  
Election

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Shirley *et al.*

Appl No.: 09/285,429

Filed: April 2, 1999

For: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

Group Art Unit: 1653

Examiner: F. Moezie

July 11, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

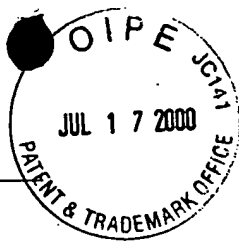
**RESPONSE TO RESTRICTION REQUIREMENT**

This is in response to the Office Action dated May 12, 2000, in which the Examiner has required restriction between Group I, namely Claims 1-10 and 13-14, Group II, namely Claims 11 and 12, Groups III, IV, and V, namely Claims 15-18, and Groups V, VII, and VII, namely Claims 19-20. Applicant hereby provisionally elects without traverse to prosecute the claims of Group I (Claims 1-10 and 13-14) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

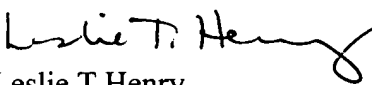
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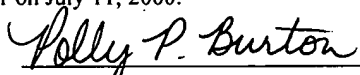
It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

  
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I hereby certify that this correspondence is being:

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<p><input checked="" type="checkbox"/> deposited with the United States Postal service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on July 11, 2000.</p> <p> Polly P. Burton</p>	<p><input type="checkbox"/> facsimile transmitted to the Patent and Trademark Office at , on July 11, 2000.</p> <p>_____ Signature</p>